4. Ownership of Heavy Cattle

422 231 [643] a) Generalities.

The Mwami is the owner of all the cattle in Ruanda or at least of all females kept for breeding purposes. The great chiefs (abatware) are charged by the king to watch over his cattle in the different provinces. Also, the sale of heifers cannot take place without his permission.

On the other hand, the holder of sterile cows or bulls may give away or slaughter these animals as he wishes.

In a province the native who has acquired a cow for breeding [643] purposes has usufruct and has no redress if the Mwami takes away the animal he has bought along with its young. The umutware w'umukenke (2) can oppose the removal of cattle from the province.

2. Cf. Government and Administration, Political Division, p. 85.

422 622 628 Any native who settles in another province must abandon his cattle [46] unless he has the chief's permission to take it with him. When a native leaves his province, leaving his cattle behind, to settle in another, his new chief usually gives him a herd of the same size as the one he has lost. If he escapes from his district carrying off his cattle surreptitiously, his former chief claims the herd. In the past if he was refused he would endeavor to capture a herd of equal value belonging to the deserter's new chief, and an armed clash would invariably result from such a dispute. Today the dispute must be submitted to the Mwami. He eventually orders the new chief to return the cattle, and if the latter is unwilling to do so, he may take from him one or more herds.

Before the European occupation a dissatisfied chief could take all or part of his cattle without previous permission from the Mwami. In this case the chief was "Mwami of his umugaragu."

422 231 The cowherds (abashumba) in the service of the cattle holders are authorized to keep for themselves part of the milk from the animals entrusted to them. They can be discharged in case of negligence.

683 Muhutu has been wounded he receives the indwaza (lit., who cares for) indemnity consisting of one or two goats. If the author of the blows is a Mututsi, he must lend a cow to the Muhutu so that he can have its milk for as long as there is any; the Muhutu gets the full ownership of a bull calf when he returns the cow.

5. Murder

682 Murder cases were under the exclusive jurisdiction of the Mwami at the time when he had the right of life and death over his subjects (1).

1. Cf. Government and Administration, Royal Power, p. 74, note 1.

682 If the murderer (gatozi) and his victim belonged to the same
696 social class, the king ordered the exercise of private vengeance
628 (guhora, to avenge; kwikorera, to avenge one's self), which resulted in endless conflicts between families and clans. The Mwami, however, could throw on the murderer, the full responsibility of his deed, and the relatives of the victim could not then resort to the "vendetta."

682 [112] If the murderer was a Muhutu and the victim a Mututsi, two deaths were exacted.

On the other hand, if a Muhutu had been killed by a Mututsi, recourse to direct vengeance was impossible, but the Mwami could turn over a member of the Mututsi's family to the victim's relatives and have him killed. However, if a fairly important Mututsi killed a Muhutu, neither he himself nor his property would be affected. This iniquitous ruling did not rouse the natives' indignations because it conformed with the law of the land and they therefore submitted to it.

The right of pardon did not exist. However, the king could stop the vengeance (gucha inzigo, lit., to cut the vengeance) and offer compensation (wergild) to the family of the dead man; this was when the latter was a Muhutu, as the Batutsi accepted only blood atonement. For the king to agree to recognize the benefit of the compensation to the victim's family, the dead man had

692 one of the parties, he appeals to his provincial chief who points the matter out to the king. The Mwami then calls certain of his abahanga (1) with whom he sits and listens to the respective provincial

1. Cf. p. 104.

chiefs of the parties who are acting for them. The king then pronounces the sentence, justifying his judgment.

692
628 It should be noted that the normal procedure we have described could not always be employed in the past. When two hill chiefs, for example, were hostile to each other, and if the victim of a robbery came to claim justice, it could be that the thief's chief might take the thief's part. The robbed man would notify his chief, and then it was war between the hills. If the robbed man's chief was weak and could not obtain justice for his man, he appealed to the provincial chief who would summon both chiefs, the thief, and the robbed one. Only the two chiefs plead, first the robbed man's chief then the thief's chief. If the latter proved that the victim of the theft had wished to take the law into his own hands without first appealing to him, and that he then had to defend himself against an attack which he believed unjust, the provincial chief then inflicted a fine (ichyiru) in cows on the robbed man's chief. If the domestic war had resulted in deaths or wounds, the palaver was obligatorily transferred to the Mwami. After paying his fine, the robbed man's chief could apprehend the thief and punish him, as we have stated above.

643 631 423 person of one vassal. This simplifies the administration considerably. Often, however, the vassal is vested with the tenure of the mountain and the Bahutu who live there as his bondsmen, but he does not receive at the same time all the privileges; another Mutussi may receive the war fief on the same mountain, i.e., he may have the duty of assembling the local men in case of war, or a third Mutussi on this mountain may be in charge of dividing up the grazing land, etc. [90] The object and result of this organization is to make each of the holders of these privileges jealously watch over the others and to insure that the king keeps the reins of power firmly in his hands.

634 614 The mutwale who has been vested with a fief is, however, the ruler of the Bahutu and Batwa in his feudal domain. He determines the work load of his people and has jurisdiction over ordinary affairs. However, the position of the people under him is not at all like slavery. They enjoy a considerable amount of freedom and are entitled to certain privileges. In addition [628] they always have as support their kin group, their clan, which can be depended upon to take secret, bloody revenge for any real acts of violence on the part of the batwale or any other person. It is a kind of Vehmic organization which is respected even by the most powerful Batussi batwale. Also, each Muhutu is entitled to leave his feudal lord if the latter maltreats him and to look for a new master. However, since the reputation [554] and wealth of each Mutussi depends chiefly on how many people he has, it is in his own interests to see to it that his people do not leave him as a result of maltreatment.

662 The king always surrounds the high vassals and batwale with spies in order not to allow them to become too independent. Beyond that, however, jealousy and envy are powerful motives for each mutwale to exercise a check on his neighbor. Naturally intrigue and incrimination are widespread. If a case of dis-
687 loyalty or high treason is reported to the king and is discovered to be well-founded, royal justice acts quickly with spear and poison. Nevertheless, several grand batwale have managed to
631 attain a large degree of independence in the course of time. This is particularly true of those living in the exposed border

357 like a member of the family (No. 19, p. 13). The adopted
597 person does the work around the house, tends the cattle, and
592 tills the fields, but he cannot acquire any property. If he wishes to give up his job and offer his services to another master, he may do so at any time, but the former master has so many indirect means at his disposal to force the servant to stay that most of those who have themselves adopted spend the rest of their lives with the same master.

592 Thus, the circle of dependents or retainers of any prosper-
554 ous and influential Murundi consists of these domestic servants,
573 of impoverished relatives and parasitic friends, fortune-hunting flatterers, and economic and political dependents of all sorts. Every day they pay homage to him in his kraal and accompany him wherever he goes. The greater the master's reputation, the larger is his entourage. It is rare that one sees a Mutussi of high status walking with an entourage of less than a dozen persons and often with as many as 20 to 30. In Urundi the entourage is called mafuatano; in Ruanda where the same institution exists it is referred to as bagaragu.

681 Debt slavery does not exist in Urundi. The Barundi, how-
[567] ever, have a great variety of very drastic punishments (ikihano) for violations of the law causing damage to life, limb, and property. In most cases the guilty party or his relatives or clan may atone for the misdemeanor or crime by a smaller or larger payment in the form of produce, cattle, salt, pearls, iron, etc. The amount is determined by the mutwale who acts as the judge (p. 94). If it is a case of a serious crime, manslaughter, murder,
628 or a serious injury, the kin group or clan vendetta (see p. 105)
672 becomes operative; this is done with the cooperation of the au-
681 thorities. The injured party or, if he has been killed, his kin group attempts to seize the wrongdoer by any means at their disposal. If the latter takes refuge in a neighboring province beyond the avenging arm of the injured kin group, an attempt will be made to catch one or several of his wives, children, brothers or sisters, close relatives, or members of his clan in his place. The captive is bound and locked up until his family obtains his freedom by paying a large amount of ransom money. This is forthcoming

628 672 681 in most cases. However, if the ransom is not paid, the members of the injured group, with the consent of the mutwale, proceed to execute the victim. They take the captive to a remote place and first cut off his hands, then his feet, and eventually also the ears, nose, and tongue. Then the unfortunate victim is nailed to the ground by piercing four poles through his arms and thighs; there he finally receives the death blow through his chest (No. 19, p. 472). Another method of execution is to drive a sharp pole through his anus into his body up to his throat. The body is then exhibited in a public place. The vendetta takes similar forms among the other Bahima, down to the far south in Ufipa (No. 47, pp. 108-111). Stealing cattle and witchcraft are punished in the same cruel manner in Urundi.

762 [98] Persons intending to commit suicide, who are not by any means rare either in Urundi or Ruanda, usually kill themselves by hanging or drowning.

695 It appears that the oath (indahiro), the invocation of the deity, the manes, or the king for the purpose of affirming a statement, is not permitted as a legal device among the Barundi who, incidentally, "use oaths, curses, sorcery, lies, or trickery" copiously. On the other hand, a judge frequently inflicts the ordeal on the accused, especially if it is a case where he has charged with witchcraft and sorcery (No. 19, p. 405). Most often this takes the form of the spear test. It consists of stabbing the accused person's arm with a hot spear point. If the blood gushes out, he is judged guilty; if not, he is considered innocent. The water test is applied by making the accused place his hand into a pot of boiling water. If his hand is scalded, he is considered guilty, otherwise, not. Also, under certain conditions, the poison test is used, a custom found all over Africa. Of course, there exist all kinds of methods designed to make the ordeal come out correctly, like greasing or powdering one's skin, using counter-poisons, etc.

614 vehicle of tradition and religious customs (totem, food taboos,
182 sacrificial community), has been of great importance in sustaining the nation's life." (No. 39, p. 73.) This characterization also applies to the clans of the Barundi.

However, the Batussi monarchy is a most powerful enemy
614 of the clan organization. The growing power of the Batussi kings
642 has laid claim, as has been shown above, to all the land and
182 cattle as the personal property of the king who parcels it out in larger or smaller portions as fiefs to his Batussi followers (see p. 89). The king's vassal, in turn, divides his fief into smaller portions with which he vests his people. The former clan elder is usually appointed mutwale of the king and collects the taxes and other tribute of which he retains a share. Under the conquering kings the clan has thus been disrupted socially and economically and has been rather quickly absorbed into the political feudal community of the state, although it may still retain its clan name, its old customs, some of its institutions, and its totem for a long time to come.

There is one element of the old clan organization which
642 the clan members have retained even under the political re-
614 organization of the Batussi monarchy since it offers them a
628 strong protection against arbitrary acts of their rulers: it is
182 the vendetta (kuhora). Originally, allied clans used it as the most effective way to protect themselves when they were threatened by other clans. Even at the present time the vendetta is the strongest bulwark for the protection of the individual in spite of the fact that public and private security has considerably increased under the strong rule of the royal batwale. Despite criminal jurisdiction administered by the batwale, the vendetta is still used by the clan members as the most effective form of self-help and as a protective instrument of intimidation on the part of those who are politically weak. A person who kills or injures a member of a clan is killed or wounded by the members of the wronged clan (see p. 97). If the wrongdoer cannot be apprehended, the vendetta will strike another member of the criminal's clan. Indeed, more than that, some clans

642 may not be satisfied by equal retribution but avenge the loss
614 of one of their members by killing two or more members of the
628 opposite clan. In former times this created a permanent state
182 of war within the nation, no large-scale political community could develop, and the resistance of the Barundi against external aggression was extremely weakened. The same was true of Ruanda (No. 48, p. 238). It was only the strong monarchy of the Batussi which, in its own interest, put an end to this permanent civil guerrilla warfare. However, now the clans use the vendetta for the protection of their members under the cover of secrecy. The former open guerrilla warfare has turned into insidious murder against which even the most powerful Batussi mutwale is not secure if he is guilty of bloody acts of violence against some clan. The effect of this avenging popular justice and the manner in which it is regarded by the people are reminiscent of our Vehmgericht of medieval times, although they are both quite different in other respects.

[106] Chapter 8

Marriage, Birth, Death

1. Contracting Marriage, Wife, Children

582 In most cases the Barundi are married (kurongora) at quite an early age: the men as soon as they can pay the bride price; the girls often at the age of twelve or even younger if they are [589] nubile. It is very rare that a man voluntarily remains a bachelor. If someone marries late, the only reason is that he is unable to raise the bride price, i.e., the purchase price of a wife. Marriages are exogamous; there are no cases of marriage within the same clan (see p. 100). Bride stealing is unknown as a
583 685 marriage custom. If, under exceptional circumstances, it does occur it is treated as a case of common theft (No. 19, p. 358).
595 Concubinage is practiced particularly in the case when the son of a mutwale or a chief has to wait for a girl of equal rank to

791 The umufumu also tries to predict the future and to re-
787 veal unknown facts and events, i.e., to prophecy. This is done with a great display of simple-minded hocus-pocus. Many small objects are poured on the ground from various calabashes. From their accidental arrangement a situation is explained and its future development prophesied. The Barundi believe that the predictions of the abafumu are in most cases correct. This may not be too difficult if the magician is an intelligent man.

791 [134] The umufumu, the medicine man, must under no circumstance be confused with the monster who practices
754 witchcraft, the umurosi. The difference between the two may be characterized in the following manner. According to Barundi belief the abafumu are the benevolent, helpful medicine men who can free a person from the malediction of the evil sorcerer, the umurosi. The abafumu are the official, protectors against sorcery, but the abarosi are the evil sorcerers who occasionally put a spell on people. In Ruanda and in the southernmost Bahima state, Ufipa, the same names are used for the good sorcerers (mufumu) and for the evil ones (murosi or mulosi) (No. 47, pp. 179, 183-186; No. 48, p. 319). In reality the umufumu, who is usually an adroit and intelligent person, builds his position on gullibility and fraud. The perse-
[578] cuted umurosi is usually an innocent person who has either incurred the suspicion of his fellow citizens because of his eccentricity, or more frequently his good fortune and prosperity have excited other people's envy. However, the greatest and most
791 famous abafumu are almost without exception astute criminals
661 who will not shrink from any atrocity. The main reason for
628 their evil influence and great power is the fact that they are always in league with the chiefs, and through their activity as medical practitioners and counselors they are thoroughly informed about all family matters. The entire nation suffers under the terrorism of the great medicine men who are allied with the chiefs. Nobody dares avenge these atrocities on the evildoers themselves, for if one of them were killed or executed

as the result of a denunciation before the German Resident, the entire kin group of the chief or the umufumu would be bound by law of the vendetta, and they would take terrible vengeance on the family of the "traitor" (No. 45, 1913, pp. 83-84).

Neither the umufumu nor the umubandwa is invited to officiate at the real cult acts of the Barundi people, at "divine services." These are a matter for the priest, the kiranga. Although among the Barundi one's entire life is simply a series of performances to fulfill religious requirements which affect all matters of existence, they nevertheless assign particularly great importance to two rituals. For this reason the kiranga has to officiate at them. One is the ceremony of the "sacred spear," the other is the act of erecting the small huts for ancestors and spirits, ivigabiro, akararo, ivitabo (No. 19, pp. 498-499).

The ceremony of the sacred spear is enacted at all the important events in the life of the Murundi, whenever protection against evil spirits is especially desirable. The father of the family is host at the ceremony and pays the officiating kiranga; relatives, friends, and neighbors act as assistants. The ritual takes place, for example, at the birth of a child, particularly at the birth of twins, if there is a serious sickness in the family, at weddings, joyous celebrations, funerals, etc. (No. 19, p. 516). Thus, it is a ceremony which may be sponsored by any Murundi who is in a position to afford the expense. This is not the cult gathering of the ababandwa, described on p. 124 above, which also takes place under the direction of the kiranga and is of a similar nature, but it is only performed by the secret society of the ababandwa.

Even the ordinary spear of the Murundi is considered sacred in a certain sense since it is the symbol of paternal power and the authority of the ancestors. Consequently the "sacred spear" guarded by the priest is the object of great devotion. In the point of this spear lives the spirit Kiranga, [135] or Indagarra, or Riangombe, depending on whether the spear has been dedicated to one or the other of the spirits. In most cases it is Kiranga. The shape of the spear is like that of any other, but one half of its blade is unpolished and black. If someone

173 The families or clans which made up each of those tiny states were at first autonomous and independent from one another. They were self-governed and lacked any well-defined authority. It was only gradually in the course of time that one local chief came to impose his will upon the others. Along with royal prerogatives, and in accordance with his title of sovereign, the man in power took over the functions of sorcerer, diviner, magician, rain maker, etc. The office of sorcerer-king (umuhinza) then became hereditary. The small provinces of Buberuka, Kibali, Buyoka, Bugarura, and especially Mulera, retained their original organization and never had kings. Each tribe governed and administered itself according to its own lights. As a result they were nearly always at war with one another owing to thefts, boundary disputes, or vendettas (2). Peace ruled for a while among

[628]

2. This region was preeminently the land of the vendetta. Individuals would take justice into their own hands, with the help of family or clan members, and were implacable in /seeking/ vengeance.

those tribes only when they banded forces against the common enemy, the detested Hamite, who, in spite of the fact that he had subdued them, had not deemed it safe to settle in the mountainous regions. Ruganzu II and Kigeri IV Lwabugiri are listed among the Hamitic kings who traveled through those areas populated by proud /77/ inhabitants. The mountain dwellers did not make a great show of resistance, but after the princes were gone, they nevertheless continued to lead an independent existence. No Mututsi chief dared settle among those fierce populations. Their only obligation was to pay tribute in kind to the king himself or to the high court dignitary who was supposed to govern the area at a distance.

The Bantu of the central and southern provinces, who make up the greater part of the Munyarwanda /Banyarwanda/ population, [184] accepted and bore more readily the yoke of the Hamites, who settled among them and shared their way of life (1).

783

1. A Munyarwanda would never pick up such accursed weapons, whose origin and function he knows only too well. The curse which is attached to them and the fear which they inspire cause him to go his way without a covetous glance.

In certain clans the purifier-sorcerer slips the scrapings into a sweet potato which he feeds to a goat. The latter is then sold to strangers faraway on whom falls the curse attached to the weapon which was used to commit the murder. The price of the animal, which was formerly paid in kind (hoes, peas, beans, sorghum, etc.) was renounced or thrown away. The victim's family considered that they were thus freeing themselves completely from the evil spell which befell them through the violent death of one of its members.

769 783 628 In order to pacify the spirit of the deceased, a young man of the kin group is chosen during the funeral ceremonies to avenge him. He must obtain a new /418/ spear which the purifier-sorcerer or his colleague, the "conjurer of spirits," takes from his hands in order to cut in two a plant with a mysterious property called irago or umurago. "I have 'cut up' the tribe of murderers," he says, "may they all die of it." Then, addressing himself to the deceased, "Here is the spear that will avenge you. Grant it the opportunity and the power to carry out the vendetta."

[766] According to customs peculiar to each clan, the body is exposed on a deserted hill, hidden far out in the bush in rocky crags, or buried near the village or even in the courtyard.

In the latter case, some irago, or if there is none some murago that grows in the swamps, is planted along with its roots. At the end of about a year, the sorcerer comes back to cut this plant /again/, as he did once before. Then a goat is sacrificed.

The purifier takes some of the blood of this offering and sprinkles it on the grave, saying, "Let this blood cause the entire family of the assassin to perish."

[i.e., of a murdered person - Analyst]

[681 696 .644

8. A slave (umuja) was struck down along the road at night after she had been advised to leave court and seek her fortune elsewhere. She was punished for not having watched closely enough over the moral behavior of two young princesses of royal blood.

9. Luhinankiko, a son of Queen Mother Nyirayuhi, was stripped of his property for having had Lutishereka killed. He even had to flee to Urundi, where he spent some 15 years.

Since Kabale, the regent, could not take his revenge upon him as he would have wished, he turned upon his friends and followers. /484/

Chaka, who was Luhinankiko's son-in-law, and Sebuharara and Rulinda, who were his protegés, were attacked in the Buganza by the men of the powerful minister. Defeated and unable to flee, they shut themselves up in a hut, set fire to it, and perished in the flames.

Kaningo, who belonged to their faction, was stripped of his property. On the point of being caught and knowing what awaited him at the capital, he also burned himself in his hut.

[683] 10. The Banyarwanda still remember the corporal punishment inflicted upon the six "poisoners" (1) led to Nyanza by chief Kanuma.

1. This is how the individuals suspected of the alleged crime of bewitching are designated.

These unfortunate persons had their hands and feet cut off.

11. Nyantanyi, son of Semakamba, as surrendered by Musinga to Gashamura, son of Lukagirashamba. Lwamwa, one of the latter's sons, had been killed at Ndolandi, a land he wished to conquer, by Nyantanyi's men. His relatives, the Batsobe, complained to the king, who gave them satisfaction by handing the local chief over to them.

Nyantanyi was bound and led outside the palace by Gashamura and his followers. Lwamwa's son stabbed him first in the side with a spear, and almost immediately 20 or 30 spear thrusts laid him low.

● [628] His head and right hand were cut off to be shown to the other followers, as was done in vendettas. One detail is to be noted: Gashamura was Nyantanyi's uncle by marriage and his father-in-law.

231 proved to be the case. I was told that work ceases for a day after a
628 dog's death, and that on occasion blood revenge is exacted for the killing of a dog. The Banyaruanda maintain that a person kills a dog because he would really like to kill its master but does not dare.

The number of dogs kept in Ruanda is very large, and for this reason the porters returning to Lake Victoria took a number of dogs with them. A returning caravan of 200 porters which I met in Kissaka had at least 60 dogs. Several of them were quite young and had to be carried on the porters' backs for the two to three weeks' trip. One can scarcely show greater proof of affection.

231 Since the dogs generally do not bark, they are not often used as
534 watch dogs. They usually wear small wooden or iron bells around their necks, dedicated to Ryangombe [a supernatural being] (insogera ya Ryangombe). Similar bells are tied around the necks of sheep and goats.

The iron bells commonly consist of two small, thin sheets of metal bent together, with a narrow, rounded slit at each end. Between the two sheets is a hollow space containing a small pellet large enough so that it cannot fall out through the slit. A string [147] is threaded

Fig. 35. Dog Bell from Mulera. (1/4 actual size. III E 13704. 6 centimeters in diameter.)

Fig. 36. Dog Bell from Ufumbiro, Batwa. 1/4 actual size. III E 6897. 10 1/2 centimeters long.)

through two small holes in the bell and tied to the collar. Captain W. Von Grawert found an entirely different bell among the Batwa of Ufumbiro. It consists of a narrow, triangular piece of sheet iron, the two lower ends of which are bent to form a cylinder. The tip is narrowed, thin and bent down, and on it hangs the clapper.

614 842 Since the groups involved in this arrangement are small and conditions simple and clear, no one can forget that the welfare of the individual is directly dependent on the welfare of the clan. Hence everyone is very much concerned that the clan appear powerful to the outside world. It must be as large as possible and always ready for war. No effort must be spared to achieve this; otherwise the members of the clan have no protection against plunder, impoverishment, and even complete extinction. The man as well as the woman must be considered from this point of view, and producing children is, therefore, the most important duty of the individual. This explains the completely unenviable position of the childless woman. For the same reason, sons whose descendants will augment the number of clan members are preferred to a daughter, even though one can always trade her for a cow.

614 563 The importance of the clan's strength and fighting fitness, even today in Bugoye, was convincingly demonstrated to me by the fate of my Muhutu informant's father. Several years ago their clan was scattered by advancing Batutsi. Only his father remained on the old clan property, along with the [234] children and his uncle. Since there were only a few men in both families and they were too weak to defend themselves, the Batutsi simply settled on the land and indulged in all kinds of suppressive measures against the weaker farmers. At the time of my visit, for example, they took away a whole hut and carried it to their settlement, instead of building a new one for themselves.

614 628 Every individual is under the protection of the clan. This makes it possible for a person to lead a more or less secure existence. Clan organization represents a sort of social guarantee which is directed primarily against the misdeeds of fellow tribesmen who do not belong to the clan.

614 627 Moreover, the clan exercises control over its members, and, if serious offenses are committed by individuals who endanger the interests of the clan, they can even be exiled.

614 627 428 The clan may also interfere in family matters and, above all, in disputes about inheritances. Although the father can dispose of his property as he sees fit, nevertheless his decisions presuppose the tacit approval of the clan. If the interests of the clan are

614 671 178 finds protection even outside the clan, which formerly was not possible.

614 Ruanda Clans. We have already listed the clans of Ruanda in Chapter 2 [not translated]. However, in view of the significance which the distribution of individual clans in the various provinces has for the history of Ruanda settlements, the list must be supplemented by further data. Here we shall also give the names of the provinces in which the individual clans were observed. (Chart on following pages)

It is said that the Baanzira clan is not represented in Kissaka, but the name is familiar, and strangely enough, it is used by the women in vows. When they wish to affirm something very positively, they say: "Aha Baanzira batshu."

Father Schumacher (1) uses the designation "Base" or "Abase"

1. Schumacher, Father P., "Die Ehe in Ruanda," Anthropos, 1910, p. 896.

for the Bagessera and Bazigaba who play a special role in the Ryangombe cult.

628 614 [237] Blood Revenge. Clans practice blood vengeance (kuhora) for their members. If an outsider kills or wounds a clan member, his fellow members take revenge on the members of the criminal's clan.

The clan's revenge, however, is not always a simple settlement on the principle of an eye for an eye and a tooth for a tooth. In Kissaka, for example, the people are satisfied if they kill a member of the murderer's clan, whereas in Mulera the vengeance is always greater than the crime. The severity of the vengeance by the injured clan depends on the number of its able-bodied men. The powerful and spirited clan of the Barashi who are settled in Mulera on Muhawura is aware of its strength and takes bitter revenge. For a murdered clansman, the Barashi kill six to eight men from the murderer's clan. The other less powerful Mulera clans content themselves with three or four. The Batutsi, on the other hand, demand as many as ten to twelve heads. The same number is exacted by the greatly feared Batwa clans.

In Mulera, in contrast to Kissaka, the female members of the clan are also avenged, but in Ruanda I heard nothing about women being killed in revenge.

The clan which has avenged its dead casts off mourning and celebrates the happy event with dancing and beer drinking. This announces to the others that they have nothing more to fear.

In exacting vengeance, the injured clan is primarily bent on laying its hands on members of the criminal's clan, but the murderer himself also receives special attention.

During my stay in Mulera a man with a pot of beer on his head went to a neighboring settlement. On the way he met a stranger who expressed the wish to taste his beer. When the man refused, the stranger retaliated by stabbing him in the back. The wounded man fell to the ground and began to scream. The stranger fled, but the injured man's clansmen pursued him, inflicted arm and head wounds with a bush knife, bound him, and brought him to their settlement. There he had to await the outcome of his victim's illness, and if the man had died, he would have had to pay with his life for his fit of temper.

Revenge is the factor that most strongly binds the clan together and contributes most to the development of a feeling of solidarity among clan members.

A clan that refused to take revenge would become extinct in a short time, since neighbors could plunder its members without punishment.

[238] The practice of blood revenge in Ruanda and, above all, in Nduga where clan members are scattered among outsiders takes the form of secret, occasional murders. In the northwest, for example, in Itambi where clans have settled in larger units, revenge is said to take on the nature of a regular war. This difference is decidedly an adjustment of the same institution to the particular conditions prevailing in the two regions.

Unsettled and pending cases of revenge constitute an ever-present danger for the clan members, and at the same time they involve many unexpected and unpleasant situations. The clans are settled in different places far apart from one another, and the individual member is not always informed about the relation of his clan to others in distant regions. For this reason the Munyaruanda

614 keeps his clan a secret and discloses it only when he has confi-
628 dence in his questioner. That is why it was so difficult at first to find out the names of the clans, especially before we learned the word for clan, namely, umuryangu or umuliangu.

For its own safety, the clan is forced to watch over its members and, in case of an emergency, oust certain individuals whose actions endanger the community. This applies chiefly to those who, through careless murder, burden their clan with the revenge of the injured. The banished member loses the right of protection and property and will not be avenged. This expulsion is called kilenga ngoma and seems to occur more frequently than adoption.

These imperfect security measures aimed at guaranteeing the safety of the individual cause eternal petty wars. The whole society is split up into a number of warring camps, which weakens its resistance against outside enemies. This applies primarily to the Bahutu, and this will be one of the chief reasons why the better organized herdsmen minority will be able to conquer them.

Clan feuds are by no means limited to the Bahutu. My anthropological studies among the Batwa in the region around Marangara were very much curtailed because a few days before, during an evening of beer drinking, a drunken man committed a murder. The murderer and his clansmen were obliged to leave the region of Marangara in great haste.

614 Abaziru. Although blood revenge unites the clan more con-
267 spicuously than any other factor, nevertheless in peaceful times one is only occasionally aware of the sharp demarcation of clans. [239] In quiet everyday life the clans are differentiated much more by their food taboos. The adult members of individual clans are forbidden to eat certain foods. For example, the Bagessera and Bashambo, like some Massai tribes, do not eat liver; the Bagahe and Bazigaba do not eat entrails, etc. Each clan may have more than one food taboo. Thus, the Bashambo, for example, eat neither liver nor the meat of foreign spotted cows.

The members of different clans may not eat together because of their dietary laws. Consequently, they also regard each other

It is said that atonement for killing an umuziru is made by special ceremonies, and the willful slaying of an umuziru by an outsider can even call forth revenge on the part of the clan.

Marriage Prohibitions. Clan organization also affects the individual in the matter of marriage prohibitions. Members of the same clan may not marry each other. The clan is strictly exogamous. It seems, however, that among the Batutsi there are still traces of an earlier endogamy. For example, in their legend about Kigwa, the first ruler of Ruanda, they say that all Batutsi are descendants of a sister and brother, Nyina Batutsi and Kigwa.

[242] Exogamy in Ruanda is an important factor in social integration. In Mulera, where the old clan organization has been best preserved, the act of contracting marriage consists of the exchange of a woman for a cow. Thus, two different clans come to have a common interest. One clan is helped by a direct increase of its man power. The other, in turn, strives to increase its wealth and possessions. This union, furthermore, necessitates mutual consideration in other matters and thus promotes the social life of larger groups of people.

In contrast to the exogamy of individual clans, there is an absence of valid mixed marriages between Batutsi, Bahutu, and Batwa. The social and anthropological contrast between these elements of the population is much sharper and more striking than the contrast between Bahima and Bahiru in the Runyoro language area, and since there one can distinguish between Bahima and Bahiru clans, it is all the more surprising that there are Bahutu in most of the clans of Ruanda. Upon investigation we found that in many cases Batutsi and Bahutu had the same clan names, and in less than half the cases observed could we find special Batutsi clans which did not have Bahutu members.

The appearance of Batutsi clan names among the Bahutu can probably be traced to the following two reasons. First, the descendants of slaves, of baja, belong to their father's clan, but, in spite of Batutsi fathers, they are no longer counted among the Batutsi. Thus, there are Bahutu families that trace their origin to Ruanda rulers. Secondly, impoverished Batutsi marry Bahutu women, which rapidly adds to the number of impoverished Bahutu,

563 582 614 even though a child of a Mututsi by his legal Muhutu wife is de jure a Mututsi. Such children are, however, because of their mothers, robbed of all such connections, and this accelerates their absorption by the Bahutu.

Similarly, however, there are cases where prominent Bahutu, if they occupy the position of chief, are absorbed into the Batutsi through mixed marriages. This was the case, for example, with the Barashi chief, Lukara lwa Bishingwe, from the Muhawura volcano. This probably explains how "Batutsi" happen to belong to the clans of Bazigaba, Basinga, Bagessera, and Basita.

Mixed marriages between Batutsi men and Bahutu women are more common than those between Bahutu men and Batutsi women. There are said to be no mixed marriages with Batwa. This aversion [197] persists even in Christian communities, and I even heard that the only baptized Mutwa in a Christian congregation could not find a wife.

572 608 [243] Blood Brotherhood. In speaking of exogamy, we mentioned it as the primary factor in the social integration of a society that is split up by mutually warring clans. We shall now discuss the second factor, namely, the institution of blood brotherhood.

In Mulera, if you wish to show someone that you value his friendship, you go to him to replenish your fire. To make the friendship secure, however, you must join with him in the pact of blood brotherhood (kunywana).

Simple friendship is very sharply distinguished in Ruanda from the social institution of blood brotherhood. The word for friendship is kwuzulu which literally means "filled" or "full." People are regarded as friends who "are saturated with one another," and who must therefore be considerate of each other.

572 608 628 There are friends on all levels of the social system, but it seems that the institution of blood brotherhood in Ruanda is connected with the undifferentiated clan organization of the north. This is doubtless due to the fact that in regions like Nduga, for example, where the chief's power is well organized, the individual can count on a certain measure of protection from the representatives of the state, but in regions where the entire country

572 608 628 is divided into zones settled by different clans which are often hostile to each other, the individual can depend only on his clansmen. When he goes abroad, outside his clan's sphere of influence, he must look for personal friends and secure their pledge of protection, thus making possible his sojourn in strange parts of the land. This is the reason why traders enter into the greatest number of brotherhood pacts. People who never leave their hillsides do not make this pact, and pacts between the inhabitants of the same hillside also are not common.

572 608 Brotherhood is sealed by special ceremonies. On the day of the pact the one who wants to enter into brotherhood goes to the house of his future blood brother, accompanied by a witness. He is received there also in the presence of a witness. All four men sit down on a mat on the hut floor. The articles necessary for the ceremony are placed beside them: mutsima, stiff millet mush; a knife; and a hoe.

The witness of the guest takes the knife and makes a scratch to the right of the latter's navel. He catches the blood on a piece of mutsima and hands the knife to the witness of the houseowner, who repeats the same ceremony with his candidate. The two blood brothers then eat each other's blood along with the mutsima. Then the first witness takes the knife, begins to sharpen it on his skin, and says:

[244] Mwumwe! Ntuza yaniwanye na ntuza.
Harken! This one enters into blood brotherhood with that one.

Elmwa kanaka uramuka umutatiye iki kihanga kikakwicha.
Hear you (this one), if you dare betray him, this vow will kill you.

Akomerekera mw' itawalo wanga kumuheka, iki kihanga kikakwicha.
If he is wounded in battle, you refuse to carry (him), this vow will kill you.

Umushigisha amata iwawe, iki kihanga kikakwicha.
Refuse you him milk yours, this vow will kill you.

Wanga kumuheka, yarwaliye mw' itawalo, iki kihanga kikakwicha.
Refuse you to carry, when he falls in battle, this vow will kill you.

572 Umugore wawe amushigisha nzoga uta hali, iki kihanga utikikwiche.
608 (If) woman yours will refuse him banana beer (when) you are absent, this vow will not kill you.

After this curse he hands the knife to the second witness who rubs the iron against the palm of his hand and repeats the curse. Then the two witnesses rise, lift their bent arms to the level of their eyes, and then slap their knees with the words: "Ndateranya sinkiza (I unite, I protect not)." In reply the two blood brothers lie down on the floor and embrace. Then they are covered with a mat, whereupon one of the witnesses hits the mat twice with a stick and says: "Ndateranya, sinkiza, zubanda (I unite, I protect not, rabble)." The blood brothers reply to this by hitting each other. Later, assisting one another, they rise to a crouching position. This ceremony means that blood brothers also fight with one another, but this is their own affair which they must settle among themselves in secret (under the mat). In the outside world blood brothers may only support one another.

572 608 431 After this ceremony they exchange presents. One of the blood brothers takes his present, usually a hoe, and hands it to his new friend with the words: "End'isuka, nkukye ku kirago (accept the hoe, may it help you to rise from the mat)." The other takes his present, hands it to the first one, and repeats the same words. Then they both arise, and each one gives his witness an arm ring as a present.

572 608 614 628 Through this ceremony the blood brother (munywana) seems to attain a sort of personal membership in the clan of the other blood brother without resigning from his own clan. This is confirmed by the fact that blood brotherhood is not entered into by members of the same clan. I occasionally heard that formerly, in the indeterminable "olden times," blood revenge was practiced for blood brothers as it was for clansmen.

572 608 614 178 It seems that blood brotherhood has lost a great deal of its significance. This may be considered a result of state organization which has caused a progressive deterioration of clan organization. This process, however, has not just come about in very recent times, as may be gathered from a proverb in Ruanda which [245] says: "umwuzulu uluta umunywano (friendship is better than blood brotherhood)." In Ruanda we may mention two facts in favor

721 Declarations of war are not made, at least not in Mulera. If a military expedition is to be undertaken, everyone knows about it long beforehand. It is hard to keep a secret. The actual declaration of war is the sound of the antelope horn calling the warriors together.

727 Baumann (1) mentions that spades wrapped with leaves are

1. Baumann, O., Durch Massailand zur Nilquelle [Through the Land of the Masai to the Source of the Nile] (Berlin, 1894), p. 84.

a sign of peace.

[277] Chapter 13

Administration of Justice

671 Law. Ruanda has no codified laws. The administration of justice is the business of the government which takes into consideration long-established customs. This is the only kind of law one can speak of in Ruanda.

Criminal law is not developed here to such an extent that the various types of crimes must be atoned for with specific punishments. We can only indicate approximately the severity of individual punishment, since uncodified law leaves so much to the personal opinion of the judge.

628 178 The basis of justice within the clan is the institution of blood revenge. With the development of the state, this is gradually being pushed into the background, but in Ruanda the process is still in its initial stages. In Kissaka, on the other hand, it is said that before revenge is taken, the chief is notified, and he can forbid taking vengeance for a man killed for robbery.

682 685 Aside from murder, which in Ruanda proper is still punished with blood revenge, the theft of cows is very severely punished, in accordance with the role the cow has in the life of Ruanda.

7: Roscoe M-5 (1919-1920) 1924
FO42 Rundi FO42

634 the district chiefs formed the council of the king. The court
[693] was under the direction of a special man, a kind of steward or *inhebe*.

The district chiefs were also responsible for building and other work for the king and the state; they had to find the necessary workmen and appoint overseers to direct them. Another man of the king acted as a kind of household steward to see that the buildings were kept in repair and properly attended to.

Each district chief appointed chiefs of the second rank or *Ibisonga* in his own district, and they in their turn appointed the chiefs of the third grade or *Abafragizu*. Each district chief also appointed a steward or *inhebe* who acted in his place when he had to be absent from his district. This man always possessed land near his chief so that he might be at hand when he was wanted. His special duty was to take charge of any building for the chief.

Taxation

634 Every year a district chief had to bring two or three
651 hundred large pots of honey, each holding some two gallons, and a supply of millet, peas, and beans to the king. This was brought to the district chief by the people on his estate, and he took a portion for himself before passing the required amount on to the king.

[231] Twice in the year each person with cattle gave to the king a cow and a calf to supply him with milk and a fat animal to be killed for his meat. Milk was also sent daily to the court for the use of the king and his household.

Murder

682 It was the duty of the relatives of a murdered man to hunt
●628 down and capture the murderer and put him to death; they rarely accepted any other settlement. If a murder was committed before witnesses, they would seize the murderer and hand him over to the relatives of the dead man. If, however, one man abused another before witnesses, the offended man

7: Roscoe M-5 (1919-1920) 1924
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might put the other to death without fear of punishment, for the witnesses would state the reason for his action and he would not suffer for it.

When a murder was committed secretly and the body was found without any trace of the murderer, it caused much difficulty. The relatives had to inform the chief of anything they knew concerning the relations of the dead man with the people of the district. Any person with whom the dead man had had a quarrel or disagreement was captured, and a priest killed a fowl and took an augury in order to find out whether he was guilty or not. Should the augury be in the suspected man's favour he was released, and some other magical means of finding the murderer were tried.

Sometimes a murderer would confess his deed to the king or chiefs and notify his desire to atone. The family of the murdered man were called to a meeting and the murderer had to supply a sheep. The king was present at the meeting and ordered the animal to be killed and cut open, after which the murderer and the head-man of the murdered man's clan placed their hands on the entrails. Portions of every kind of food used by the people were brought and placed in the sheep with purificatory herbs, and again the two men placed their hands in it. The sheep was then called *Maana* or god and was the pledge of peace. Some clans, however, refused to make peace with a murderer and awaited an opportunity of killing either the criminal or some member of his clan.

When a man killed another accidentally and succeeded in proving that there was no malice or intention about the act, he paid fourteen cows to the family of the dead man, with whom he remained on friendly terms. If a man wounded another he paid him eight cows as compensation.

When a warrior killed a man in battle, the king and chiefs honoured him and gave him presents of land and cattle. Sometimes when the king was specially pleased, he would give a warrior a princess to wife. The warrior had to be purified on his return from the battle, but observed no other taboo.